S.B. Criminal Misc. Bail Application No.3421/2006
Date : 28.08.2006

HON'BLE MR.SATYA PRAKASH PATHAK, J.

Mr. R.K. Bishnoi for the applicant.
Mr. V.R. Mehta, Public Prosecutor.

Heard learned counsel for the applicant as well as the learned Public Prosecutor for the State and carefully gone through the case diary and the impugned order.

The contention of learned counsel for the applicant is that the accused applicant has been arrested after six months of the incident. He submits that accused applicant was not arrested at the spot and further he has been involved in this case on the basis of photstat copy of the driving licence found in the vehicle. He further submits that truck owner did not state that on the date of the incident, accused applicant was driver of the truck. In last, he submits that investigation has been completed in this case, therefore, the applicant may be enlarged on bail.

On the other hand, learned Public Prosecutor has opposed the bail application.

I have considered the submissions made before me and carefully gone through the material available on record.

Taking into consideration the overall facts and circumstances of the present case, I think it just and proper to enlarge the accused applicant on bail.

Accordingly, the bail application filed under Sec. 439 Cr.P.C. is allowed and it is directed that the applicant Shararam son of Harziram shall be released on bail in FIR No.406/2005 P.S. Nimbaheda, District Chittorgarh, provided he executes a personal bond in the sum of Rs.30,000/- with two sound and solvent sureties in the sum of Rs.15,000/- each to the satisfaction of learned trial court for his appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(SATYA PRAKASH PATHAK), J.

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